

Amend Wagga Wagga LEP 2010 - Reclassify 5 sites and rezone 1 site from RE1 to B2

Proposal Title : Amend Wagga Wagga LEP 2010 - Reclassify 5 sites and rezone 1 site from RE1 to B2

Proposal Summary : Council is seeking to amend Wagga Wagga LEP 2010 to;

1. Reclassify part Lot 10 DP 1017384 (Owned by Council), Bourke Street, Wagga Wagga, from Community Land to Operational Land and to rezone part Lot 10 DP 1017384 and part Lot 10 DP 1165096 (privately owned land) from RE1 Public Recreation Zone to B2 Local Centre Zone.

2. Reclassify Lot 20 DP 22260, PCYC bike training track, Spring Street, Wagga Wagga, from Community Land to Operational Land. Land is owned and managed by Wagga Wagga City Council.

3. Reclassify Lot 4 DP 1012605, Edward Street, Wagga Wagga, from Community Land to Operational Land. Land is owned and managed by Wagga Wagga City Council.

4. Reclassify Lot 16 DP 835763, Red Hill Road, Wagga Wagga, from Community Land to Operational Land. Land is owned and managed by Wagga Wagga City Council.

5. Reclassify Lots 1 & 2 DP 805848, Boorooma Street, Wagga Wagga, from Community Land to Operational Land. Land is owned and managed by Wagga Wagga City Council.

The Reclassification of these sites will not change any interests affecting the land.

PP Number : PP_2012_WAGGA_006_00

Dop File No :

12/12927

Proposal Details

Date Planning 17-Aug-2012

Proposal Received :

LGA covered :

Wagga Wagga

Region : Southern

RPA :

Wagga Wagga City Council

State Electorate : WAGGA WAGGA

Section of the Act :

55 - Planning Proposal

LEP Type : Reclassification

Location Details

Street : Bourke Street

Suburb :

City : Wagga Wagga

Postcode : 2650

Land Parcel : Part Lot 10 DP 1017384 and Part Lot 10 DP 1165096

Street : Spring Street

Suburb :

City : Wagga Wagga

Postcode : 2650

Land Parcel : Lot 20 DP 22260

Street : Edward Street

Suburb :

City : Wagga Wagga

Postcode : 2650

Land Parcel : Lot 4 DP 1012605

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Street :

Suburb : **Red Hill Road**City : **Wagga Wagga**Postcode : **2650**Land Parcel : **Lot 16 DP 835763**Street : **Boorooma Street**

Suburb :

City : **Wagga Wagga**Postcode : **2650**Land Parcel : **Lot 1 and 2 DP 805848****DoP Planning Officer Contact Details**Contact Name : **Graham Judge**Contact Number : **0262297906**Contact Email : **graham.judge@planning.nsw.gov.au****RPA Contact Details**Contact Name : **Chris Pelcz**Contact Number : **0269269532**Contact Email : **pelcz.christopher@wagga.nsw.gov.au****DoP Project Manager Contact Details**Contact Name : **Mark Parker**Contact Number : **0242249468**Contact Email : **mark.parker@planning.nsw.gov.au****Land Release Data**Growth Centre : **N/A**Release Area Name : **N/A**Regional / Sub
Regional Strategy : **N/A**Consistent with Strategy : **N/A**

MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg
Residential /
Employment land) :No. of Lots : **0**No. of Dwellings
(where relevant) : **0**Gross Floor Area : **0**No of Jobs Created : **0**The NSW Government **Yes**Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been **No**
meetings or
communications with
registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

External Supporting
Notes :

Item 1. Land is being reclassified and rezoned to accommodate the development of a local shopping centre. The reclassification will facilitate the sale of the Council owned land to develop the centre.

The rezoning of part Lot 10 DP 1017384 and part Lot 10 DP 1165096, Bourke Street, from RE1 Public Recreation Zone to B2 Local Centre Zone adjoins land currently zoned B1 Neighbourhood Centre Zone. This land zoned B1 is the subject of another planning proposal (PP_2012_WAGGA_03_00) that has been given a Gateway Determination to rezone the site from B1 Neighbourhood Centre to B2 Local Centre Zone. This PP will therefore compliment the PP for the proposed zone change on the adjoining land.

The rezoning of land from RE1 Public Recreation Zone to B2 Local Centre Zone incorporates an area of approximately 1,612 square metres within a larger area zoned RE1 Public Recreation.

Item 2. The reclassification of land will facilitate the sale of Council owned land to the PCYC bike training track organisation

Item 3. Council owned land is a drainage reserve that can better be managed as Operational Land. Land will remain under Council ownership and management.

Item 4. The reclassification will facilitate the sale of Council owned land to the Wagga Wagga Lutheran School. The land is currently leased to the school.

Item 5. The reclassification of land will enable an excess area of road reserve that was dedicated to be returned to the Diocese of Wagga Wagga.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The PP clearly states the objectives of the amendment to Wagga Wagga LEP 2010.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The PP clearly outlines the provisions that will amend Wagga Wagga LEP 2010.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

2.1 Environment Protection Zones

6.2 Reserving Land for Public Purposes

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP (Infrastructure) 2007

e) List any other
matters that need to
be considered :

1. s117 DIRECTION 6.2

The Director General's approval is required for the reduction in area of land zoned RE1 Public Recreation Zone which is to be rezoned to B2 Local Centre Zone.

Council has justified the reduction in area of RE1 land.

Recommendation

It is recommended that the Director General approve the reduction in area zoned RE1 Public Recreation.

2. S117 DIRECTION 2.1

Council has identified an inconsistency with s117 Direction 2.1 Environmental Protection Zones associated with the rezoning of RE1 Public Recreation Zone to B2 Local Centre Zone. As the Planning Proposal does not affect any environmental protection zones this Direction does not apply.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Council has acknowledged that it is required to undertake a public hearing for the reclassification of land from Community to Operational Land.

It is recommended that community consultation for the PP be 28 days.

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons : Council has adequately addressed DG's additional requirements for the reclassification of land.

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : Wagga Wagga Standard Instrument LEP 2010 was notified in 2010.

Assessment Criteria

Need for planning proposal : Council has adequately justified the need to reclassify these sites to Operational Land and to rezone land identified in item 1 from RE1 Public Recreation to B2 Local Centre Zone.

Consistency with strategic planning framework : Not applicable.

Environmental social economic impacts : It is unlikely that there will be any adverse environmental, social or economic impacts associated with the PP.

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There are likely to be economic and social benefits from the Bourkelands commercial centre development.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 Month** Delegation : **DG**

Public Authority
Consultation - 56(2)(d)

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal for Reclassification.pdf	Proposal	Yes
Council Report.pdf	Proposal	Yes
Council resolution.pdf	Proposal	Yes
Planning Proposal - section 117 directions.pdf	Proposal	Yes
Site ID - 003B.pdf	Map	Yes
Site ID - 003C.pdf	Map	Yes
Site ID - 004D.pdf	Map	Yes
Letter to Dept.pdf	Proposal Covering Letter	Yes
Attachment B - Application No 79C Report 1408434.pdf	Proposal	Yes
Attachment C - Application No 79C Report 1354088.pdf	Proposal	Yes
Additional_Info_Reclass_Sites.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones**
2.1 Environment Protection Zones

6.2 Reserving Land for Public Purposes

Additional Information : It is recommended that the Director General, as delegate of the Minister for Planning and Infrastructure, determine under section 56(2) of the EP&A Act that an amendment to the Wagga Wagga Local Environmental Plan 2010 to:

1. Reclassify part Lot 10 DP 1017384, Bourke Street, Wagga Wagga, from Community Land to Operational Land and to rezone part Lot 10 DP 1017384 and part Lot 10 DP 1165096 from RE1 Public Recreation Zone to B2 Local Centre Zone;
2. Reclassify Lot 20 DP 22260, PCYC bike training track, Spring Street, Wagga Wagga, from Community Land to Operational Land;
3. Reclassify Lot 4 DP 1012605, Edward Street, Wagga Wagga, from Community Land to Operational Land.;
4. Reclassify Lot 16 DP 835763, Red Hill Road, Wagga Wagga, from Community Land to Operational Land; and
5. Reclassify Lot 1 & 2 DP 805848, Boorooma Street, Wagga Wagga, from Community Land to Operational Land;

should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal must be made publicly available for 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 4.5 of A Guide to Preparing LEPs (Department of Planning 2009).

2. No public hearing is required to be held into the matter under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example in response to a submission or if reclassifying land).

3. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway Determination.

S117 DIRECTIONS

4. s117 6.2 Reserving Land for Public Purposes - The Director General agree to the reduction in area of land zoned RE1 Public Recreation.

5. The Director General can be satisfied that the Planning Proposal is consistent with all other relevant s117 Directions or that any inconsistencies are of minor significance.

6. No further consultation is required in relation to s117 Directions while the proposal remains in its current form.

Supporting Reasons : The Planning Proposal is classified as routine and requires community consultation.

Signature:



MARK PARKER
Local Planning Manager

Printed Name:

Date:

17th August 2012